

24.01.2025
(D/L-1)
Ct. No.4
(Naba)

W.P.S.T. 232 of 2024

**Smt. Aparna Kundu
Vs.
The State of West Bengal & Ors.**

Mr. Gazi Faruque Hossain,
Mr. Kaushal Kumar,
Ms. Priyanka Mondal

...for the Petitioner

Mr. Tapan Kr. Mukherjee, Id. AGP,
Ms. Sangeeta Roy

...for the State

Mr. Suman Basu (VC)

...for the Respondent No.4

1. Affidavit of service filed in Court today is taken on record.
2. Heard the learned counsel for the petitioner and the learned counsel for the State as well as the learned counsel representing the Accountant General (A&E)/respondent no.4.
3. The learned counsel for the petitioner submits that the Court should issue directions to the West Bengal Administrative Tribunal (hereinafter referred to as the State Administrative Tribunal) since the contempt application seeking compliance of an order passed in O.A. 914 of 2015 on 08.08.2022 is kept pending indefinitely and the order has not been complied with.
4. We are handed over a copy of the last order passed in the contempt proceedings before the

State Administrative Tribunal on 08.01.2025

which reads as follows:

“The matter is taken up by the Single Bench pursuant to the order contained in the Notification No. 638-WBAT/2J-15/2016 (Pt.-II) dated 23rd November, 2022 issued in exercise of the powers conferred under Section 5(6) of the Administrative Tribunals Act, 1985.

Mrs. Agarwal, learned counsel for the alleged contemnor/OP files a copy of order dated 26.12.2024 issued by Senior Accounts Officer, Indian Audit and Accounts Department, Accountant General (A&E), West Bengal. From this order, it becomes clear that the applicant has been sanctioned (i) revised pension @ ₹ 1299/- per month with effect from 01.04.2011 (ii) revised retiring gratuity @ ₹ 5,79,035/- (iii) revised family pension @ ₹ 12,998/- for seven years and thereafter ₹7,799/- per month.

A copy of Memo No. 865 dated 03.01.2025 has also been presented by Mrs. Agarwal, which is the enabling order issued by District Mass Education Extension Officer, South 24-Parganas.

Ms. Mondal, learned counsel for the applicant having received a copy of the aforesaid document wishes to take instructions.

*Let the matter appear under the heading “**For Orders**” on **17.04.2025.**”*

5. From the said order, it is apparent that the sanction orders for revised pension, retiring gratuity and revised family pension have been issued. The Court, therefore, does not find any occasion to pass any order or direction upon the State Administrative Tribunal.
6. The learned counsel for the petitioner submits that by the sanction orders which are referred in the State Administrative Tribunal's order dated 08.01.2024 the authorities have sanctioned these benefits much less than the petitioner's entitlement. If that is an issue, it is open to the petitioner to take appropriate steps. Since the sanction order has already been passed, we find no occasion to issue any direction to the State Administrative Tribunal.
7. Without issuing any direction, the Writ Petition is dismissed.

(Madhuresh Prasad, J.)

(Supratim Bhattacharya, J.)